

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION
OFFICE OF RESEARCH, PLANNING AND PERFORMANCE
APRIL 21, 2020**

ITEM 5

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION TO PERMANENTLY REQUIRE MONTHLY WATER CONSERVATION AND PRODUCTION REPORTS FROM URBAN WATER SUPPLIERS

BACKGROUND ON PROPOSED REGULATORY ACTION

Informed urban water management in California relies on the availability of current water production and use data. Former Governor Brown issued Executive Orders B-37-16 and B-40-17 to “Make Conservation a California Way of Life.” The orders directed the Board to adopt permanent **reporting** requirements for Urban Water Suppliers. With the passage of Senate Bill 606 in 2018, the Legislature authorized the Board to adopt permanent reporting requirements. Cc cThis regulatory action implements Governor Brown’s directive.

Such reporting by Urban Water Suppliers was first required during the 2012-2016 drought. Specifically, the State Water Board first adopted drought emergency conservation regulations in July 2014. The Board readopted the regulations several times, most recently in February 2017. Former Governor Brown declared the end of the statewide drought emergency in April 2017. Mandatory reporting requirements were kept in place until November 25, 2017, when the February 2017 emergency regulations expired.

Such reporting is also increasingly important as climate change makes the kinds of droughts California is expected to experience longer and more severe. Making conservation a [California Way of Life](#) is part of the Newsom Administration’s draft Water Resilience Portfolio.

The proposed regulation would establish in the California Code of Regulations, title 23, division 3, a new chapter, chapter 3.5, on urban water use efficiency and conservation. The proposed regulation would make permanent, with some minor modifications and clarifications, the monthly water conservation and production reports required by the Board during the drought emergency, specifically those required by California Code of Regulations, title 23, section 864, which expired by operation of law on November 25, 2017. Since November 2017, a declining number of Urban Retail Water Suppliers have been reporting voluntarily. The formal rulemaking process and public comment period began in November 2019 and, after several extensions, ended January 31, 2020.

DISCUSSION

To promote water conservation and data transparency, the proposed regulation would permanently require Urban Water Suppliers to provide the State Water Board with monthly conservation and production reports.

Background information, including the Initial Statement of Reasons, the draft Initial Study/Negative Declaration, and the fiscal analysis on this proposed regulation is available at this web site:

https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/water_conservation_reports/.

POLICY ISSUE

Should the State Water Board adopt the proposed resolution and accompanying regulation?

FISCAL IMPACT

State Water Board staff work associated with or resulting from this action will be addressed with existing resources.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Staff recommends that the State Water Board adopt the proposed resolution adopting the regulation.